IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

WRIT PETITION NO : 20820 of 1994

Between:

1 Adusumalli Hanumantha Rao S/o. Bhushayya
R/o.Pedanandipadu Village and Mandal Guntur District
2 Komaraneni Singarao S/o. Venkateswarlu
R/o.Pedanandipadu Village and Mandal Guntur District
3 Kolasani Venkayya S/o. Kottaiah
R/o.Pedanandipadu Village and Mandal Guntur District
4 Velineni Drakshayamma W/o. Eswarayya
R/o.Pedanandipadu Village and Mandal Guntur District
5 Komaraneni Subba Rao S/o.Venkateswarlu
R/o.Pedanandipadu Village and Mandal Guntur District
6 Kolasani Nagendram S/o. Kotaiah
R/o.Pedanandipadu Village and Mandal Guntur District
7 Koduri Seshagiri Rao S/o. Venkateswarlu
R/o.Pedanandipadu Village and Mandal Guntur District
8 Madala Venkateswarlu S/o. Venkayya
R/o.Pedanandipadu Village and Mandal Guntur District
9 Adusumalli Achayya S/o. Bhushayya
R/o.Pedanandipadu Village and Mandal Guntur District
10 Nuti Venkateswarlu S/o. Bapanayya
R/o.Pedanandipadu Village and Mandal Guntur District
11 Muvva Yanayya S/o. Venkatasubbayya
R/o.Pedanandipadu Village and Mandal Guntur District
12 Muvva Satyanarayana S/o. Venkatasubbayya
R/o.Pedanandipadu Village and Mandal Guntur District
13 Nuti Bapanayya S/o. Seshayya
R/o.Pedanandipadu Village and Mandal Guntur District
14 Telaga Thoti Jayamma W/o. Bhikshalu
R/o.Pedanandipadu Village and Mandal Guntur District

..... PETITIONERS

AND

1 Government of Andhra Pradesh, rep.by its Secretary,
Irrigation (Project Wing) Dept, Secretariat, Hyderabad.
2 The District Collector, Guntur, Guntur District.
3 Land Acquisition Officer (Special Tahsildar) L.A.Drainage, Ponnur
Guntur District.

4 Joint Collector, Guntur, Guntur Dist

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate order or direction of writ, more particularly one in the nature of writ of mandamus declaring that the action of the respondents in taking the possession of land of the petitioners i.e., Ac.17.38 in various survey numbers in the year 1982 for the purpose of widening Vogeru Drain and raising its bunds from mile 32/1 to 37/4 in Pedanandipadu Village, Guntur District without any notification and non payment of compensation as arbitrary, discriminatory illegal and violative of Art.14 and 300A of the Constitution of India and as consequential direction direct the respondents to cause resurvey of Ac.17.38 of petitioners lands in various survey numbers in Pedanandipadu village, Guntur District and pay compensation at present market value with interest from the date of taking possession and solatium special compensation and damages and all other benefits under the provisions of the land acquisition Act immediately.

Counsel for the Petitioner: MR.P.PHALGUNA RAO

Counsel for the Respondents: GP FOR REVENUE

The Court made the following:

ORDER:

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The grievance of the petitioners is that their land had been acquired, but the compensation had not been paid. Counter affidavit dated 20-08-2001 has been filed in which it has been stated that all the petitioners except Sri.Muvva Satyanarayana and Sri. Nuthi Bapanaiah had been paid compensation subsequent to the filing of the writ petition as per the provisions of the Amended Land Acquisition Act, 1984. Sri.Muvva Satyanarayana and Sri. Nuthi Bapanaiah were not paid compensation as there was no award in their favour.

In this view of the matter the writ petition becomes infructuous and is accordingly dismissed.

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(BILAL NAZKI, J)

26-08-2004

VS/YS

To

1 The Secretary, Government of Andhra Pradesh, Irrigation (Project Wing) Department, Secretariat, Hyderabad.
2 The District Collector, Guntur, Guntur District.
3 Land Acquisition Officer (Special Tahsildar) L.A.Drainage, Ponnur Guntur District.
4 Joint Collector, Guntur, Guntur Dist

5. 2 CCs to the Government Pleader for Revenue, High Court Buildings, Hyderabad (OUT).

6. 2 CD copies.